

THIS AGREEMENT MADE THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024

BETWEEN: THE TOWN OF RIVERVIEW, a municipal corporation,  
incorporated under the Legislative Assembly of the Province of New Brunswick  
and located at 30 Honour House Court, Riverview, County of Albert, Province  
of New Brunswick, E1B 3Y9,

hereinafter called the “Town” Of the First Part;

-and-

Ashish Goel, 13851524 Canada Inc., 23 David Court, Dieppe, NB E1A 0J7

hereinafter called the “Proponent” Of the Second Part

WHEREAS the Proponent has applied to rezone the property on Cleveland Avenue bearing PID 05121330 from SC – Suburban Commercial to CM – Commercial Mix in order to permit two six storey multi-unit buildings;

AND WHEREAS the Planning Advisory Committee has recommended that the Town rezone said property in accordance with, and subject to the provisions contained in section 59 of the *Community Planning Act*, and subject to certain terms and conditions herein set forth;

NOW THEREFORE in consideration of the mutual covenants and agreements herein contained, the parties agree as follows:

### 1. The Proponent’s Covenants

The Proponent covenants and agrees to develop the lands in compliance with the following terms and conditions:

- a) That the development shall be in general conformity with the site plan and building elevations attached as Schedules A-15-1 and A-15-2;
- b) That notwithstanding Table 12.3, the maximum height of the buildings shall be permitted to be a maximum of 21m, but shall not exceed six storeys;
- c) That notwithstanding the Schedule D parking requirements, the minimum parking ratio shall be 1.1 spaces per unit;
- d) That notwithstanding section 91(2)(b) of the zoning by-law, no landscaping buffer shall be required along the northern property boundary;
- e) That notwithstanding section 91(4)(b) of the zoning by-law, a 36.45% parking lot coverage shall be permitted;
- f) That nothing shall prohibit the proponent from applying for a variance under section 55 of the *Community Planning Act* for zoning provisions that are not addressed within the scope of this agreement; and
- g) That as-built drawings for engineering submissions shall be required within 30 days after construction of each building.

### 2. The Town’s Covenants

The Town covenants with the Proponent as follows:

- a) That the Town will undertake to carry out all necessary procedures to ensure that modifications to the zoning map shall conform with the attached Schedule A-13 subject to the terms herein contained and for the purposes stated herein.

### 3. Notices

Any notices under this agreement shall be sufficiently given by personal delivery by registered mail, postage prepaid, and mailed in a Canadian Post Office, addressed:

Proponent	Town
ASHISH GOEL 13851524 CANADA INC. 23 DAVID COURT.	TOWN OF RIVERVIEW ATTN: TOWN CLERK 30 HONOUR HOUSE COURT

DIEPPE, NB E1A 0J7	RIVERVIEW, NB E1B 3Y9
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4. The Proponent acknowledges and agrees that notwithstanding anything contained herein, the approval of the Town to the amendment to the zoning of the land is wholly conditional upon compliance by the Proponent with the terms and conditions herein, and further shall be of no effect until the zoning amendment is perfected pursuant to subsection 59(2) of the *Community Planning Act* of New Brunswick.

**5. Successors**

THIS AGREEMENT enures to the benefit of, and binds the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF the Town and the Proponent have caused their authorized officers and themselves to execute this agreement and to affix their seals, the day and year first above written;

SIGNED, SEALED AND DELIVERED

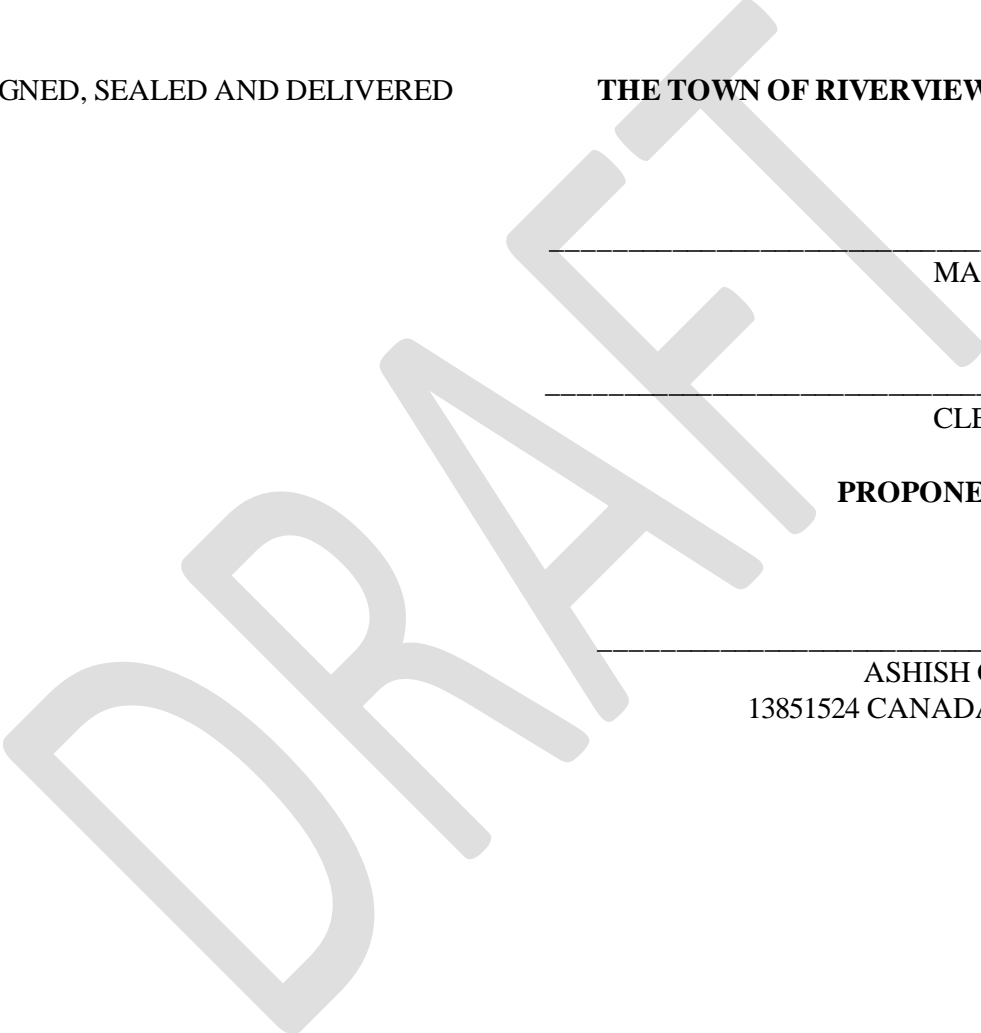
**THE TOWN OF RIVERVIEW**

\_\_\_\_\_  
MAYOR

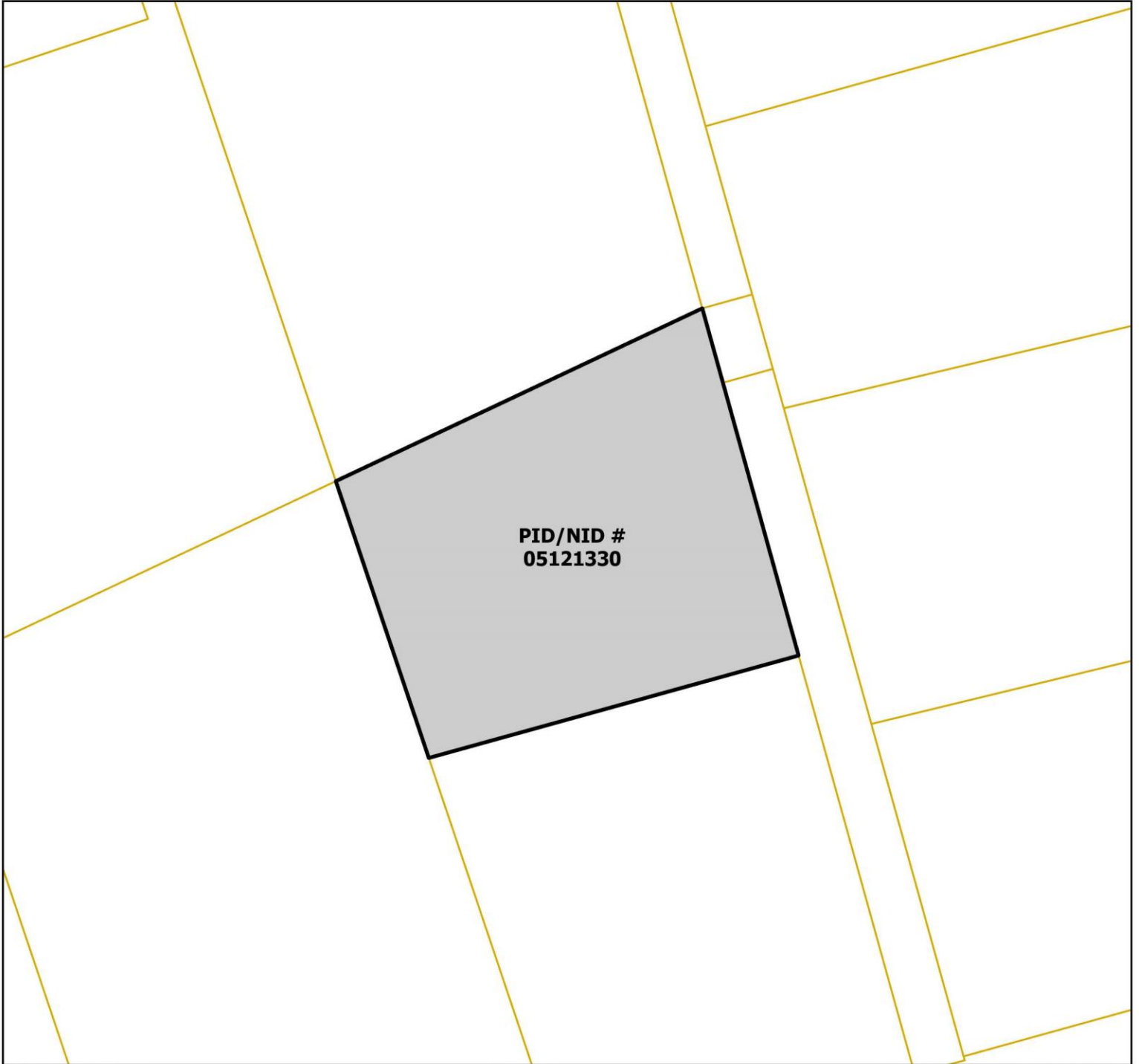
\_\_\_\_\_  
CLERK

**PROPONENT**

\_\_\_\_\_  
ASHISH GOEL  
13851524 CANADA INC.



Schedule / Annexe A-15  
Riverview  
ZONING MAP / CARTE DE ZONAGE  
Date: 2/14/2024




Legend

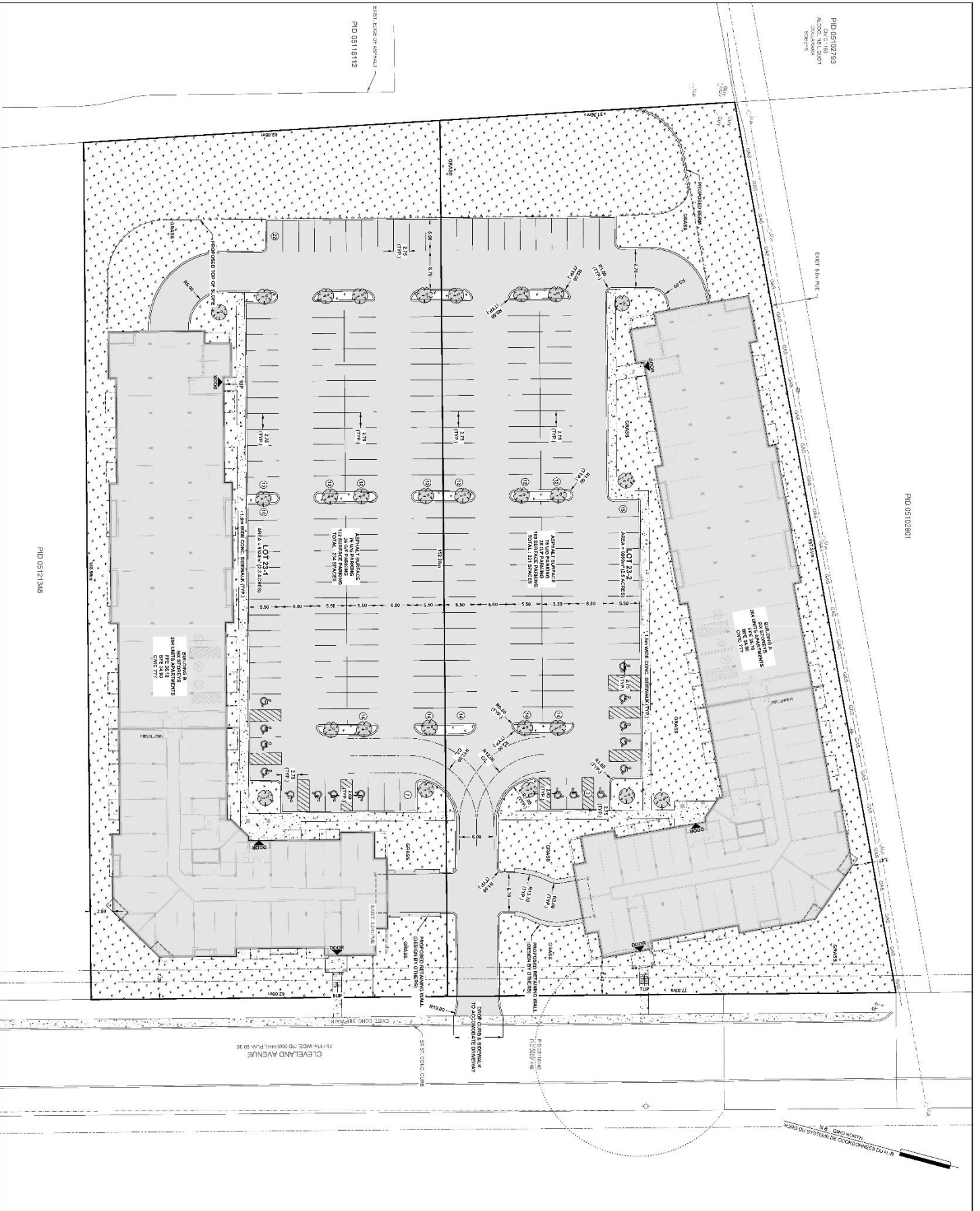
 Schedule A-15 - Rezone from SC - Suburban Commercial to CM - Commercial Mix



0 30 60 m

A horizontal scale bar with three segments. The first segment is labeled '0', the second '30', and the third '60 m'.

# SCHEDULE A-15-1



### LEGEND

EXISTING	PROPOSED
ASPHALT PAVEMENT	ASPHALT PAVEMENT
CONCRETE PAVEMENT	CONCRETE PAVEMENT
GRAVEL DRIVEWAY	GRAVEL DRIVEWAY
GRASS	GRASS
TOPOGRAPHY	TOPOGRAPHY
WATER MAIN	WATER MAIN
SEWER MAIN	SEWER MAIN
STREET LIGHT	STREET LIGHT
UTILITY POLE	UTILITY POLE
UTILITY TOWER	UTILITY TOWER
UTILITY TRUNK	UTILITY TRUNK
TELEPHONE MAINLINE	TELEPHONE MAINLINE
TELEPHONE SERVICE	TELEPHONE SERVICE
UTILITY PROPERTY	UTILITY PROPERTY
PROPERTY	PROPERTY

- GENERAL NOTES:**
- ALL SURVEY CONTROL DERIVED FROM LOCAL CADASTRAL CONTROL. THE CONTROL TOP OF BENCH MARKS SHALL BE AS SHOWN ON PLAN.
  - ALL WORK SHALL CONFORM TO THE TOWN OF SHEPPARD STANDARD MUNICIPAL REGULATIONS (SMR) FOR HIGHWAY CONSTRUCTION, EXCEPT WHERE SHOWN OTHERWISE IN THESE DRAWINGS.
  - ALL DIMENSIONS ARE SHOWN TO THE FACE UNLESS OTHERWISE SPECIFIED. THE CONTRACTOR SHALL CORRECT THE UTILITIES FROM TO BE RELOCATED AND THE GRADE TO BE CORRECTED TO CONFORM TO THE SMR REQUIREMENTS.
  - ALL DIMENSIONS & ELEVATIONS ARE IN METERS UNLESS NOTED OTHERWISE.
  - ALL MUNICIPAL REGULATIONS, PUBLIC UTILITIES, SANITARY, AND TELEPHONE TRENCHES SHALL BE SHOWN ON THE PLAN AND ALL REQUIRED PERMITS MUST BE OBTAINED IN ADVANCE OF COMMENCEMENT OF WORK.
  - CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE SMR, STATUTES AND REGULATIONS THAT ARE APPLICABLE TO THE PROJECT AND ALL APPLICABLE REGULATIONS SHALL BE REFERENCED TO THE PRE-CONSTRUCTION CONDITIONS ON SHEET 10. ALL DIMENSIONS FROM THIS PLAN TO BE USED TO BE OBTAINED FROM THE SURVEY DATA ON SHEET 10.01.
  - SEE DRAWING C-101 FOR ALL GENERAL NOTES.

NO.	DESCRIPTION	DATE
1	REVISED	10/17/2023
2	REVISED	10/17/2023
3	REVISED	10/17/2023
4	REVISED	10/17/2023
5	REVISED	10/17/2023

**ide**  
**J.R. DAIGLE**  
REGISTERED ENGINEERING  
FELTREISE • INGÉNIEUR  
PROFESSIONNEL

**PROJECT TITLE**  
MIXED USE DEVELOPMENT  
1387524 CANADA INC.  
CL EVELAND AVE, RIVERVIEW, MB  
**DRAWING TITLE**  
SCHEMATIC SITE PLAN

SCALE: 1:500  
10m 0 5 10

DESIGNED BY	AD	CHECKED BY	JD
DRAWN BY	CN	DATE	10/17/2023
CHECKED BY	JD	DATE	10/17/2023

**PRELIMINARY**  
PRELIMINARY

REVISION: C-101

2 - JAR DFW/DCA-PROJECTS/23-046 - M.L.R. PRO-08121350-CLAVANS ARE (SHEETS) 01 - DESIGN - CAD-23-046 - PREL-03-2023 - C-101 (DRAWING PLAN) REVISED 10/17 7-454-2023 10/17-NS-08-

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PID 05102801

PID 05121348

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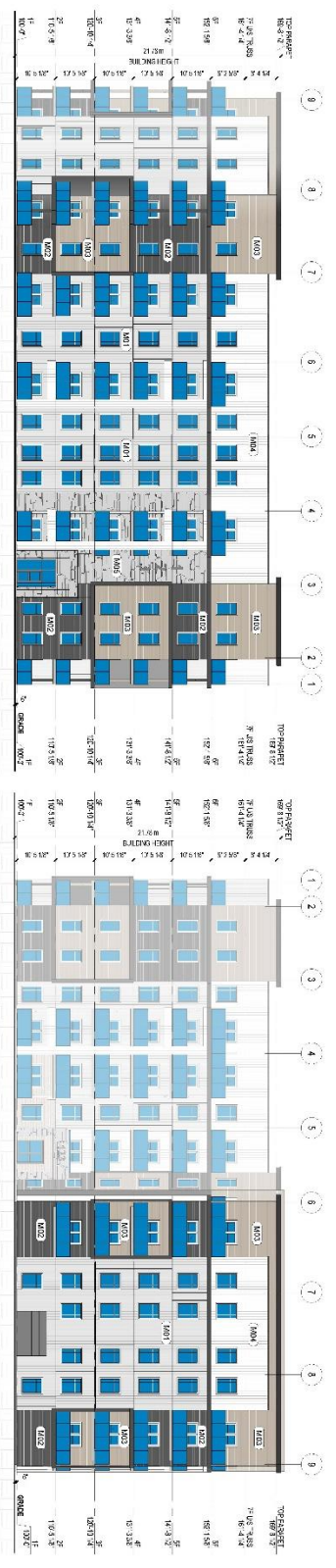
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# SCHEDULE A-15-2



1 NORTH ELEVATION  
1/8" = 1'-0"



2 CLEVELAND AVE - EAST ELEVATION  
1/8" = 1'-0"

3 WEST ELEVATION  
1/8" = 1'-0"



4 SOUTH ELEVATION  
1/8" = 1'-0"



**"Not For Construction"**  
Preliminary

NO.	REVISION	DATE

NOTES:  
 THESE DRAWINGS, REMOVED FROM THE PROJECT, ARE THE PROPERTY OF SPITFIRE ARCHITECTURE AND ALL COPYRIGHTS RESERVED. NO USE MAY BE MADE OF THESE DRAWINGS WITHOUT CONSENT FROM SPITFIRE DESIGN CO.  
 THIS DRAWING MAY NOT BE USED IN WHOLE OR IN PART FOR ANY OTHER PROJECT.  
 ANY CHANGES TO THIS DESIGN, PRIOR TO COMMENCEMENT OF CONSTRUCTION, MUST BE APPROVED BY THE ARCHITECT.  
 ALL CONSTRUCTION MUST COMPLY TO ALL REGULATORY, MUNICIPAL AND PROVINCIAL BY-LAWS AND THE NATIONAL BUILDING CODE OF CANADA.  
 ALL REQUIRED PERMITS MUST BE OBTAINED PRIOR TO COMMENCEMENT OF CONSTRUCTION.

REV.#	DESCRIPTION	DATE



13651524 Canada Inc.  
 Mixed Use Development  
 Cleveland Ave. Riverside

DATE	DESCRIPTION
JANUARY 19, 2024	
JUNE 11, 2024	
AUGUST 1, 2024	
NOVEMBER 1, 2024	
FEBRUARY 1, 2025	
MAY 1, 2025	
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